

MAR 05 2009

**Board of Vocational Nursing
and Psychiatric Technicians**

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Attorneys for Complainant

**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. VN-2005-1857

BECKY JO GAGE
21908 Golden Star Boulevard
Tehachapi, California 93561

ACCUSATION

Vocational Nurse License No. VN 139059

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs.
2. On or about January 20, 1988, the Board of Vocational Nursing and Psychiatric Technicians (Board) issued Vocational Nurse License Number VN 139059 to Becky Jo Gage ("Respondent"). Respondent's vocational nurse license was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2009, unless renewed.

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3. This Accusation is brought before the Board under the authority of the

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4. Section 118, subdivision (b), provides, in pertinent part, that the expiration

5. Section 2875 provides, in pertinent part, that the Board may discipline the

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COST RECOVERY

8. Section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

RIBAVIRIN IS A DANGEROUS DRUG

9. "Ribavirin" is an antiviral medication used in combination with Interferon to treat ongoing Hepatitis C. Ribavirin is also a dangerous drug within the meaning of section 4022 in that it requires a prescription under federal law.

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

10. Respondent is subject to disciplinary action pursuant to section 2878, subdivision (a), in that on or about November 9, 2004, while employed as a medical technical assistant by the California Correctional Institute, Tehachapi, California, a facility of the California Department of Corrections and Rehabilitation (hereinafter "CCI"), Respondent committed acts constituting unprofessional conduct when she complied with Inmate A.B.'s request to receive a multiple-day supply of prescription Ribavirin so that he could self-administer the medication and would not have to stand in the "pill line" each day to receive his medication. Respondent gave the inmate a ten day supply of Ribavirin without ensuring that she had a written physician's order for the medication, and in violation of CCI's policy that the medication be administered in the direct presence of nursing staff to ensure that he consumed the medication. These acts disregarded Inmate A.B.'s safety as a patient, and could have resulted in serious harm.

SECOND CAUSE FOR DISCIPLINE

(Making False Entries in Patient Records)

11. Respondent is subject to disciplinary action pursuant to section 2878, subdivision (a), and section 2878.5, subdivision (e), in that on or about November 9, 2004, Respondent made false entries in Inmate A.B.'s patient records when she charted the daily administration of Ribavirin to Inmate A.B. between November 9, 2004, and November 19, 2004,

1 when, in truth and in fact, Respondent gave the inmate a ten-day supply of Ribavirin for self-
2 administration on November 9, 2004. Complainant refers to and incorporates all the allegations
3 contained in paragraph 10, as though set forth fully.

4 **THIRD CAUSE FOR DISCIPLINE**

5 **(Dishonest Acts)**

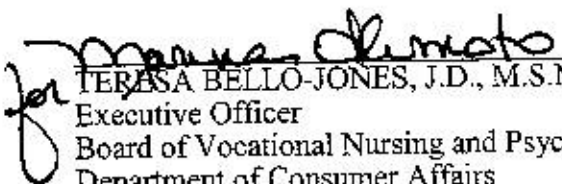
6 12. Respondent is subject to disciplinary action pursuant to section 2878,
7 subdivision (j), in that on or about November 9, 2004, Respondent committed dishonest acts that
8 were substantially related to the qualifications, functions, and duties of a licensed vocational
9 nurse. Complainant refers to and incorporates all the allegations contained in paragraph 11, as
10 though set forth fully.

11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein
13 alleged, and that following the hearing, the Board issue a decision:

- 14 1. Revoking or suspending Vocational Nurse License Number VN 139059,
15 issued to Respondent;
16 2. Ordering Respondent to pay the Board the reasonable costs of the
17 investigation and enforcement of this case, pursuant to section 125.3;
18 3. Taking such other and further action as deemed necessary and proper.
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20 DATED: March 5, 2009

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23 TERESA BELLO-JONES, J.D., M.S.N., R.N.
24 Executive Officer
25 Board of Vocational Nursing and Psychiatric Technicians
26 Department of Consumer Affairs
27 State of California
28

Complainant